## STATE OF ILLINOIS SECRETARY OF STATE SECURITIES DEPARTMENT

IN THE MATTER OF: ARUN K. SALWAN ) FILE NO. 0600624

## **NOTICE OF HEARING**

TO THE RESPONDENT:

Arun K. Salwan(CRD #: 4288865)

130 Neutrenton Avenue Elgin, Illinois 60120

You are hereby notified that pursuant to Section 11.F of the Illinois Securities Law of 1953 [815 ILCS 5] (the "Act") and 14 Ill. Adm. Code 130, Subpart K, a public hearing will be held at 69 West Washington Street, Suite 1220, Chicago, Illinois 60602, on the 7<sup>th</sup> day of February, 2007 at the hour of 10:00 a.m. or as soon as possible thereafter, before George Berbas, Esq., or such other duly designated Hearing Officer of the Secretary of State.

Said hearing will be held to determine whether an Order shall be entered revoking Arun K. Salwan's (the "Respondent") registration as a salesperson and as an investment adviser representative in the State of Illinois and/or granting such other relief as may be authorized under the Act including but not limited to the imposition of a monetary fine in the maximum amount pursuant to Section 11.E(4) of the Act, payable within ten (10) business days of the entry of the Order.

The grounds for such proposed action are as follows:

- 1. That at all relevant times, the Respondent was registered with the Secretary of State as a salesperson and as an investment adviser representative in the State of Illinois pursuant to Section 8 of the Act until September 9, 2005.
- 2. That on September 14, 2005, NASD entered a Letter Of Acceptance, Waiver And Consent (AWC) submitted by the Respondent regarding FILE NO 2005002557301which imposed the following sanctions upon the Respondent:

- a) 60-day suspension from association in any capacity with any member of NASD; and
- b) fine of \$5,000.
- 3. That the AWC found that On or about August 25, 2005, the Respondent affixed the name of customer FD on a Mutual Fund, Unit Investment Trust & Variable Insurance Product Switch Letter without FD's knowledge or consent, in order to document FD's previous agreement to a change in investments that had already been executed. The Respondent's signing of FD's name without her knowledge or consent is in violation of NASD Conduct Rule 2110.
- 4. That Section 8.E(1)(j) of the Act provides, <u>inter alia</u>, that the registration of a salesperson or investment adviser representative may be revoked if the Secretary of State finds that such salesperson or investment adviser representative has been suspended by any self-regulatory organization registered under the Federal 1934 Act or the Federal 1974 Act arising from any fraudulent or deceptive act or a practice in violation of any rule, regulation or standard duly promulgated by the self-regulatory organization.
- 5. That NASD is a self-regulatory organization as specified in Section 8.E(1)(j) of the Act.
- 6. That Section 8.E(3) of the Act provides <u>inter alia</u>, withdrawal of an application for registration or withdrawal from registration as a salesperson or investment adviser representative, becomes effective 30 days after receipt of an application to withdraw or within such shorter period of time as the Secretary of State may determine. If no proceeding is pending or instituted and withdrawal automatically becomes effective, the Secretary of State may nevertheless institute a revocation or suspension proceeding within 2 years after withdrawal became effective and enter a revocation or suspension order as of the last date on which registration was effective.
- 7. That by virtue of the foregoing, the Respondent's registration as a Salesperson and as an investment adviser representative in the State of Illinois is subject to revocation pursuant to Sections 8.E(1)(j) and 8.E(3) of the Act.

You are further notified that you are required pursuant to Section 130.1104of the Rules and Regulations (14 ILL. Adm. Code 130)(the "Rules"), to file an answer to the allegations outlined above within thirty (30) days of the receipt of this Notice. A failure to file an answer within the prescribed time shall be construed as an admission of the allegations contained in the Notice of Hearing.

Furthermore, you may be represented by legal counsel; may present evidence; may cross-examine witnesses and otherwise participate. A failure to so appear shall constitute default, unless any Respondent has upon due notice moved for and obtained a continuance.

A copy of the Rules, promulgated under the Act and pertaining to hearings held by the Office of the Secretary of State, Securities Department, is included with this Notice.

Delivery of Notice to the designated representative of any Respondent constitutes service upon such Respondent.

Dated: This

18th day of December 2006.

Descended With Market M Secretary of State State of Illinois

Attorney for the Secretary of State: Daniel A. Tunick Office of the Secretary of State Illinois Securities Department 69 West Washington Street, Suite 1220 Chicago, Illinois 60602 Telephone: (312) 793-3384

Hearing Officer: George Berbas Suite 1916 Chicago, IL 660601